



EXPRESS MAIL NO.: EL 451 599 536 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Chang, *et al.*

Confirmation No. 8931

Serial No.: 09/465,491

Group Art Unit: 1634

Filed: December 16, 1999

Examiner: Goldberg, J.

For: QUANTITATION OF hTERT mRNA  
EXPRESSION

Attorney Docket No.: 19034  
(formerly RPA 1002)

FEE TRANSMITTAL SHEET

Commissioner for Patents  
Washington, D.C. 20231

Sir:

The fee required to be filed with the accompanying amendment of even date herewith concerning the above-identified application has been estimated to be \$0.


The claim amendment fee has been estimated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)		SMALL ENTITY		OTHER THAN A SMALL ENTITY	
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO PREVIOUSLY PAID FOR		PRESENT EXTRA		RATE	ADDIT. FEE	RATE	ADDIT. FEE
TOTAL	11	MINUS	27	=	0	× 9	\$	× 18	\$ 0.00
INDEP.	01	MINUS	03	=	0	× 42	\$	× 84	\$ 0.00
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM						140	\$	280	\$
						TOTAL	\$	OR TOTAL	\$ 0.00

Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.

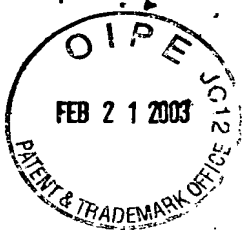
Respectfully submitted,

Date: February 21, 2003

  
Rahul Pathak 42,983  
(Reg. No.)

For: Nikolaos C. George (Reg. No. 39,201)  
**PENNIE & EDMONDS** LLP  
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New York, New York 10036-2711  
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Enclosure



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**AMENDMENT AND RESPONSE UNDER 37 C.F.R. §1.116**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicants have carefully considered the Advisory Action, mailed February 12, 2003, in connection with the above-captioned application. Reconsideration of the claims in light of the amendments and remarks that follow is respectfully requested. Enclosed herewith are Exhibit A (Claim Amendments: Version with Markings to Show Changes Made) and Exhibit B (Claim Amendments: Pending Claims After Entry of Instant Amendments) and Fee Transmittal Sheet.

**AMENDMENT**

**IN THE CLAIMS**

Please cancel Claims 31, 38-45 and 48-49 without prejudice.

Please amend Claim 21 to read as follows:

21. (Thrice amended) A method for identifying the presence of cancerous cells in a human sample wherein said method comprises:
- (a) determining the quantity of hTERT mRNA comprising  $\beta$ -region coding sequence in said sample and in a control sample of non cancerous cells by: